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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

FOREST AND ENVIRONMENT DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 3rd February, 2024

WILDLIFE (PROTECTION) ACT -1972

No.GVN/2024/08/VPS/102023/280/W : In exercise of the powers conferred by sub-section (2) of Section 64 of the Wildlife (Protection) Act, 1972 (Central Act No.53 of 1972) the Government of Gujarat hereby makes the following rules, namely:-

1. **Short title and commencement-** (1) These rules may be called the Gujarat Captive Elephant (Management and Maintenance) Rules, 2024.
(2) They shall come into force from the date of its publication in the *Official Gazette*.
2. **Definitions-** (1) In these rules, unless the context otherwise requires.-
 - (a) "Act" means the Wildlife (Protection) Act, 1972 (Central Act No.53 of 1972);
 - (b) "Cavady" means a person engaged to assist the mahout;
 - (c) "Chief Wildlife Warden" means the person appointed as such under section 4 of the Act;
 - (d) "Department" means the Forest and Environment Department, Government of Gujarat;
 - (e) "Elephant" means any elephant captured or kept or bred in captivity;
 - (f) "Elephant data book" means the register specified by the Chief Wildlife Warden, which is to be kept for each elephant by its owner incorporating the details required therein;
 - (g) "Mahout" means a trained person engaged to handle, upkeep and manage captive elephants;
 - (h) "Owner" means a Person or any legal entity including Trusts or Societies, who own an elephant as per the provisions of the Act and the Rules/Guidelines made thereunder;

- (i) "Ownership Certificate" means the Certificate of Ownership/Registration Book issued under Section 42 of the Wildlife Protection Act, 1972 and the Rules/Guidelines made thereunder;
- (j) "Veterinary Doctor" means a registered Veterinary Doctor.

3. *Ownership Certificate*

- (1) Within a period of six months from the date of this notification, a new survey of the captive elephants on the owner's premises must be conducted by the concerned Deputy Conservator of Forest [DCF], and the Office of the CWLW shall be informed of the results. Every single elephant kept in captivity must have a microchip implanted. If there is any pendency in microchipping, concerned DCF shall coordinate and get it done immediately. In case, microchipping is already done but cannot be read through microchip reader, new microchip shall be implanted. The concerned DCF shall keep record of all such cases and the Office of CWLW shall be informed about the same within a period of one week of such an event, while also keeping Conservator of Forest [CF]/Chief Conservator of Forest [CCF] informed.
- (2) The certificate of ownership shall contain the facsimile of the identification mark and in the case of live animals, the identification number of the transponder (microchip) implanted all be mentioned in the certificate. [**Appendix- I**]
- (3) Illegal Elephants i.e. those which have not been declared under the declaration of the Wild life Stock Rules, 2003 or are found without valid documents shall be confiscated and placed at Animal Care Center/Zoo operated by Forest Department.
- (4) In order to receive a new ownership certificate for the calf, owners shall notify in writing to the nearest concerned DCF or any officer authorized by CWLW in advance of the female elephants' pregnancies. After visually verifying that the calves are legitimate progeny or following a DNA test, the certificate shall be issued to the calves of the legal cows by CWLW or the officer authorized by him.

4. *Housing of elephants*

- (1) The owner shall provide a stable (tethering place) in a clean and healthy environment with sufficient shade to keep elephants during its rest period.
- (2) The Owner shall endeavor to provide a minimum floor area for each elephant, in accordance with the below:
 - 1. Weaned Calf (height below 1.50 m): 5m x 2.5m
 - 2. Sub-adult elephant (height 1.50 m to 2.25 m): 7m x 3.5m
 - 3. Adult elephant (height above 2.25 m) and Cow elephant with unweaned calf: 9m x 6m
- (3) In the case of covered sheds, the height of the structure shall not be less than 5.5m.
- (4) Corrugated iron sheets or other unbreakable material when used for roofing of elephant stables shall be covered with cooling materials like gunny cloths, grass, cadjan leaves etc.
- (5) Access to water to the elephant for both drinking and bathing shall be available at all time.
- (6) The ground provided for housing elephants shall be kuccha made of mud or rubberized flooring. Concrete flooring shall be avoided as much as possible.
- (7) Proper ventilation with drainage facility shall be provided.

5. *Transportation of Elephants*

- (1) For the transportation of Elephants outside the State, necessary permission shall be taken from CWLW and for transportation of elephant within the State, permission of CWLW or any officer, not below the rank of DCF as authorized by the CWLW in this behalf shall be obtained as per section 48A of the Wildlife Protection Act 1972. The application for such permission to transport elephant from Gujarat to any other State shall be submitted within the period of fifteen days before the actual date of transport. All such applications shall be accompanied by a health certificate issued by a veterinary doctor. [**Appendix- II A**]

- (2) Permission, if any, shall be given for transport to a particular destination and for a fixed period, it shall be incumbent for the owner to bring back the elephants to the place of residence within this period. If the Owner wants to extend the period of permission, necessary application shall be submitted before the CWLW in advance before the end of original permission, and the decision of the CWLW shall be final in this regard.
- (3) Before the issue of the transport permit, CWLW or the authority issuing the permit shall obtain no objection from the CWLW of the state where it is to be transported about the availability of the adequate housing facility at the place where it is to be kept.
- (4) A valid health certificate from a Veterinary doctor to the effect that the elephant is fit to travel by Road, or Rail, as the case may be, and is not showing any sign of infectious or contagious disease shall be obtained, in the prescribed format under these rules [**Appendix- II B**].
- (5) It shall be mandatory for the owner to inform the CWLW of the state within 30 days of where it has been transported.
- (6) Except for the return journey, no permission for the further onward transport of the elephants to the states shall be given by the CWLW of the State where it is in transit.
- (7) In case any captive elephant is found in any state without a valid transport certificate, it is liable for confiscation.

6. Norms and Standards for Transportation

- (1) The elephant shall be properly fed and given water before loading.
- (2) Necessary arrangements shall be made for feeding and watering the elephant en route.
- (3) No elephant shall be made to walk for more than three hours at a stretch. Walking by elephant shall be avoided between 10 AM and 2 PM
- (4) While transporting elephants by walking at night, two prominent reflectors shall be placed at the front and hind portion of the elephants.
- (5) While transporting elephants during night hours, appropriate lights shall be provided in the vehicle for observing the animal as well as for enabling the driver of the vehicles coming from the opposite direction to be attentive of the elephant under transport.
- (6) No elephant shall be made to walk more than 20 km a day.
- (7) Any transportation for more than 50 km in a stretch, shall be carried out in a vehicle.
- (8) Trucks with lengths less than 12 feet shall not be used for carrying elephants except calves (height below 1.59 m)
- (9) One truck shall not be used to carry more than two weaned calves (height below 1.50 m) or one elephant with one unweaned calf or one adult / sub-adult elephant (height above 1.51m), unless any deviation is approved by the CWLW in reference to any specific condition.
- (10) Reasonable amount of rest shall be allowed to elephants after every 12 hours of journey by trucks
- (11) Cow elephants in an advanced stage of pregnancy shall not be transported without proper vehicle, and a veterinary doctor shall accompany during such transportation
- (12) While transporting elephants by rail, an ordinary goods wagon shall not carry more than three adult elephants or six calves on a broad gauge, or not more than two elephants or three calves on a meter gauge, or not more than one adult elephant or two calves on narrow gauge
- (13) While transporting elephants by truck or train, care shall be taken to maintain constant speed avoiding jerks and sudden stops and reducing the effects of shocks and jerks to the minimum
- (14) Each truck or wagon carrying an elephant shall have at least two attendant mahouts
- (15) While transporting elephants through public road, a wooden pole shall be kept for avoiding accidents from electric lines, cable wires passing across the road

- (16) While the elephant is in transit, suitable protocols shall be in place for safe guarding and regulating the elephant. Sedatives, if necessary, shall be used to control nervous or temperamental elephants only as prescribed by the veterinary doctor
- (17) A vehicle breakdown is one of the most common problems contributing to unsuccessful translocation. Therefore, it shall be ensured that the vehicle is in order and a trained mechanic with tools must accompany the vehicle. The vehicle must have a drainage facility to keep it dry and must have a water storage facility.
- (18) Inter-state transport permit shall be issued for a specified time and specified place. The owner shall transport the elephant within the stipulated time.
- (19) Side bodied truck has to be used for carrying elephants.
- (20) Contact telephone number shall be displayed on the vehicle for contacting concerned persons whenever emergency arises.
- (21) Both the elephant and its mahouts shall be given adequate rest at the conclusion of each transport

7. Retirement of Elephants

- (1) An Elephant shall normally be allowed to retire from its work on attaining the age of 65 years.
- (2) Healthy Elephants above 65 years shall be allowed to be put to very light work under a proper health certificate from a veterinary doctor.

8. Upkeep and Care of Elephant. —

- (1) For taking care of each elephant, the owner thereof shall engage a minimum of one mahout, or preferably two mahouts, having at least three years of experience in managing an elephant.
- (2) Every mahout shall attend training programmes in elephant care as and when called for by the Forest Department and it shall be the responsibility of the owner to facilitate the above training by relieving the mahout after making suitable arrangements.
- (3) The mahout shall ensure that the elephant gets a thorough bath every day.
- (4) If the elephant is found sick, injured, unduly stressed or pregnant, the mahout shall report the condition to the owner, who in turn shall consult a Veterinary Doctor for providing treatment expeditiously.

9. Veterinary Doctor

- (1) Only a Veterinary Doctor registered under relevant Rules/Guidelines, shall attempt to tranquilize elephants.
- (2) The Owner shall maintain record of tranquilization in the form prescribed in **Appendix- III**, which shall be signed by the treating veterinary doctor. The CWLW, and the concerned DCF in whose jurisdiction the Elephant is housed, can examine the Record at given time.

10. Records to be kept

Every owner shall maintain the following records and register in respect of the elephant in the form given in **Appendix IV** and such records and register shall be produced before the officers authorized by Government on this behalf for inspection at such time as may be called for:

- (1) Vaccination record
- (2) Disease and treatment record
- (3) Movement register
- (4) Feeding register
- (5) Work register

11. Cutting of Tusk

- (1) The owners shall arrange to cut tusks if advised so by Veterinary Doctor or upon the death of the elephant [In case the Owner wishes to retain the tusks], after obtaining required permission from CWLW or an

officer authorized by him not below the rank of DCF (Hereinafter referred to as Authorized Officer for the purpose of these Rules only)

- (2) The owner of the tusker shall apply for permission in writing, to Authorized Officer, indicating the location where it shall be done and the name of the veterinary doctor who shall perform the operation for cutting or shaping the tusk in advance.
- (3) The Authorized Officer shall issue permission within one week to carry out the operation in the presence of an officer not below the rank of Range Forest Officer or Forest Veterinary Officer as instructed by the Authorized Officer.
- (4) The officer under whose supervision, the tusks are cut/shaped shall report to the Authorized Officer, the details of the tusks cut such as length, girth and weight of the tusks.
- (5) The Authorized Officer based on a written request with the details shall issue a certificate to the owner in the form given in **Appendix-V**, for keeping the cut tusks in accordance with the provisions of the Act.
- (6) In case permission is not granted, the owner shall be intimated of the reason for rejecting the request in writing and also instruct the further course in reference to disposal of the cut tusks.

12. *Feeding of elephants.* —

- (1) The owner or the person who is managing the elephant on contract or the person who has taken the elephant for own purpose shall ensure timely supply of wholesome feed with variety, in required quantity to each elephant. Green fodder shall be supplemented by ration as prescribed by the Veterinary doctor.

Height of elephant	Green fodder
Below 1.5 m (weaned calf)	Not less than 100 kg
1.5 m to 1.8 m	Not less than 150 kg
1.81 in to 2.25 m	Not less than 200 kg
Above 2.25 m	Not less than 250 kg (or 5% of its body weight)

- (2) The minimum feed supply for elephant shall be as follows: —
- (3) Supply of sufficient quantity of succulent food to the elephant shall be ensured 'during hot climate.
- (4) The owner or contractor or hirer of the elephant shall provide sufficient potable drinking water to the elephant, preferably from a river or any other sources of running water.

13. *Work Norms.* —

The scale of load including gears, riders and materials for the elephant shall be as follows:—

Height of elephant	Load
Below 1.5 m	Not to be used for carrying load
1.50 m to 1.80 m	Not exceeding 150 kg to carry only fodder and trainer
1.81 m to 2.25 m	Not exceeding 200 kg.
2.26 m to 2.55 m	Not exceeding 250 kg.
Above 2.55 m	Not exceeding 300 kg.

- (1) The load scale shall be reduced by 50% in hilly or other difficult terrain.
- (2) The elephants of height below 2.10 m shall not be deployed for logging operations.
- (3) The elephants of height from 2.10 m to 2.25 m shall not be used for dragging timber logs exceeding 750 kg in weight.
- (4) No elephant of height above 2.25 m shall be engaged for dragging logs exceeding 1000 kg in weight.
- (5) Ill-designed logging harness which expose elephants back bone and chest of extreme strain and injuries, using tusks and jaws regularly for dragging timber logs, timber hauling over steep areas or rocky areas etc. shall not be done.

- (6) An elephant in musth shall not be put to any work or tethered in shackles.
- (7) No owner shall put to work, any elephant having pregnancy of 12 months or above, or any cow elephant having a suckling calf of age below 6 months, or any elephant of height below 1.5 m.
- (8) Elephant owners shall maintain captive elephant data book as prescribed by the Chief Wildlife Warden.

14. *Duties and Responsibilities of owners:-*

- (1) If an elephant is affected by any epidemic disease, the owner shall bring it to the notice of the Chief Wildlife Warden.
- (2) The risk of damage to life and property caused by attack of elephants going amok shall be brought under appropriate Insurance Coverage. Third party Insurance shall also be given for the elephant, and other appropriate insurance for elephants may be considered by Owner.
- (3) Any elephant going amok and causing death of human beings shall be banned from taking part in any public ceremony including temple festivals.
- (4) The owners shall ensure that the mahout carries with him the copy of elephant data book, Micro-chip Certificate and Ownership Certificate during the festival celebrations/transport.
- (5) Movement register, disease and vaccine register, treatment register, food register and work register shall be maintained up to date by elephant owner and the same produced for inspection as and when called for.
- (6) During the time of festival celebrations, first attendant mahout shall be present in front of the elephant.
- (7) A mahout in inebriated condition shall not be allowed to handle the elephant.
- (8) The life of mahout and cavady shall be insured for a minimum of rupees 5 lakhs (Rupees five lakhs only) each to cover risk of life due to the elephant going amok.
- (9) Every owner shall maintain an Elephant Data Book as specified by the Chief Wildlife Warden for each captive elephant.
- (10) The owners shall provide one full time mahout for the care of each elephant. Owner shall have access to humane transport vehicle to shift elephant as when required in case of medical emergencies or any other such need.
- (11) The owner shall maintain in his premises stock of essential, emergency therapeutic and prophylactic medications required for the treatment of elephants.

15. *Post Mortem and disposal of dead Elephant:-*

- (1) When the death of an elephant occurs, the owner of the elephant shall report the incident in writing to the concerned DCF within 24 hours.
- (2) The owner shall get the postmortem examination of the Elephant done by a team of three Veterinary Doctors, in the presence of concerned Asst. Conservator of Forests (ACF). The Post-mortem report shall be forwarded directly to the CWLW at the earliest by concerned DCF, while also keeping concerned CF/CCF informed.
- (3) The carcass of the Elephant shall be cremated/buried under the supervision of the Asst. Conservator of Forest taking all the necessary precautions.
- (4) Subsequent to disposal of the dead Elephant, the Owner shall submit original Registration Book for Ownership certificate to the CWLW, while keeping concerned DCF informed.
- (5) Forest Department shall keep all details of the dead Elephant including all the proof of procedures, post-mortem report and all other registers and documents mentioned in the rule.

For any matter related to the care and management of captive elephants in the State of Gujarat which is not covered under these rules, the decision of the CWLW of the State shall be deemed to be considered as final and binding upon the concerned elephant owner.

APPENDIX - I**REGISTRATION CERTIFICATE OF OWNERSHIP OF AN ELEPHANT****[See Rule 3(b)]**

Name of Owner : _____

Address : _____

_____**Description of the Elephant**

1. Name of the Elephant :

2. Age :

3. Sex :

4. Colour :

5. Colour of eye :

6. Height :

7. Length :

8. Neck Girth :

9. Chest Girth :

10. Weight of the animal :

11. No. of nails Front Rt. _____ Front Lft. _____

Hind Rt. _____ Hind Lft. _____

12. Length of Tusk/tusks along : Rt. _____ CM
the curvature Lft. _____ CM13. Any other identification : _____
marks _____14. No. of insurance certificate _____
dated _____ of _____

_____15. No. of veterinary certificate _____
dated _____ of _____

16. Microchip number _____

17. Present market value (If any) _____

18. Source of Purchase/Acquisition _____

19. Registration valid upto _____

(In case temporary, otherwise permanent)

Place :

Date :

Signature of the Issuing authority with date/Office seal

APPENDIX - IIA**HEALTH CERTIFICATE****[See Rule 5(a)]**

Certified that I have this day the (in words) _____ examined at the request of _____ The Owner /Custodian /Representative /Contractor /Festival Authority / _____ (Designation of the Government official*) the elephant with the description given hereunder.

(*Competent Forest/Police/Revenue Official)

1. Name of Elephant :
2. Ownership Certificate number/ :
Microchip certificate number
3. Registration data book number :
4. Sex :
5. Age :
6. Tusks (Measurement) :
7. Name of Owner/Custodian :
8. Observation/remarks, if any :
9. Health Parameters :

Trunk Tusks Oral Cavity Eyes Temporal Glands

Limbs Nails Feet/Pad Wounds/Chain Dung/Urine

10. Abnormalities

Temperament of Animal

Docile, Controllable, Aggressive :

Other relevant observation :

11. Directions to Mahout/Users :**12. Remarks:**

The above described elephant by name _____ is found to be apparently healthy, docile and manageable by mahouts, free from visible symptoms of musth and does not appear to be suffering from any injuries or diseases. The elephant mentioned above may be permitted to travel and participate in social/cultural/ceremonial functions/_____ (strike out whichever is not applicable) with full complements of restraints, control and management under competent mahouts and observing the provisions of laws in force.

Place :

Date :

Signature of examining Veterinarian

Address :

Registration No.:

APPENDIX - IIB**CERTIFICATE OF FITNESS FOR TRASPORT OF CAPTIVE ELEPHANTS****[See Rule 5(d)]**

(This certificate shall be completed and signed by a Veterinary Doctor)

Date and time of Examination :

Number of Elephants :

Name of Elephants :

Age/Sex :

Number of Cages :

I hereby certify that I have read Rule 5(d) of the Gujarat Captive Elephants (Management and Maintenance) Rules, 2024.

1. That, at the request of (consignor) _____ I examined the above mentioned elephants in their travelling cages more than 12 hours before their departure.
2. That each elephant appeared to be in a fit condition to travel from the _____ area to _____ by road/rail and is not showing any signs of infections or contagious diseases
3. That no cow elephant appeared to be under advanced stage of pregnancy
4. That the elephants were adequately fed and watered for the purpose of the journey
5. That the elephants have been vaccinated
 - a. Type of Vaccine
 - b. Date of Vaccination/s

Signed.....

Address.....

.....

.....

Qualifications.....

Place:-.....

Date:-.....

APPENDIX - III**REPORT ON TRANQUILIZATION CARRIED OUT****[See Rule 9(b)]**

1. Name of elephant, sex and age :
2. Name and address of the Owner :
3. Name and address of Mahout :
4. Microchip number and Microchip Certificate number :
5. Ownership certificate number :

6. Date and place of tranquilization :
7. Village :
8. Taluk :
9. District :
10. Reason for tranquilization :
11. Request for tranquilization made by whom :
12. Name of drugs used with dosage :
13. Observation/Remark if any :

Certified that the tranquilization has been carried out by _____ (Address with registration number) and the animal at present is normal and healthy and is safely housed at _____ (give address)

Place :

Date :

Signature of the Veterinary Doctor

APPENDIX - IV

FORMS OF RECORDS AND REGISTERS TO BE KEPT

[See Rule 10]

1. Vaccination Record

- a. Name of Elephant :
- b. Sex :
- c. Age :

Date of Vaccination	Name of Disease	Due date of next vaccination	Signature of Veterinary Surgeon

2. Disease and Treatment Record

- a. Name of the Elephant :
- b. Sex :
- c. Age :

Date of treatment	History	Description by Veterinary Surgeon	Diagnosis	Treatment	Prevention Measure	Signature of Veterinary Surgeon

3. Movement Register

- a. Name of Elephant :
 b. Sex :
 c. Age :

Date	Place to move		Distance covered	Time		Signature of the Mahout
	Starting	Ending		Starting	Ending	

4. Feeding Register

- a. Name of the Elephant :
 b. Sex :
 c. Age :
 d. Ration prescribed by the veterinary surgeon

Date	Type of food	Quantity given	Signature of Mahout

5. Work Register

- a. Name of the Elephant :
 b. Sex :
 c. Age :
 d. Admissible quantity of work

Date and Weather	Type of Work	Duration		Signature of Mahout
		From	To	

APPENDIX - V**PERMISSION TO KEEP ELEPHANT TUSKS IN CONTROL OR CUSTODY****[See Rule 11(e)]**

In reference to the application made by M/s/Mr. _____, it is certified that M/s/Mr. _____ is hereby permitted to keep Elephant Tusks of the Elephant with below description, under their control / custody / possession:

- Name of elephant, sex and age :
- Name and address of the Owner :
- Microchip number :
- Ownership certificate number :

5. Description of Tusks :
a. Length of Tusks :
b. Girth of Tusks :
c. Weight of Tusks :
6. Premises in which intended to be kept :
7. Purpose for which permitted to be kept in
control custody/possession

Issued by me this day of Signature & Designation

Seal :

Place :

Date :

This permission is given only for keeping Elephant tusks in custody/possession. Transfer of possession of the Elephant Tusks, or shifting the Elephant Tusks from the premises mentioned hereinabove, shall require prior and separate permission from the CWLW. The ultimate Ownership of the trophy/article shall always remain with the Government”.

By order and in the name of the Governor of Gujarat,

MANISH MODI,

Joint Secretary to Government.

